United Nations A/64/7/Add.23

General Assembly

Distr.: General
21 June 2010

Original: English

Sixty-fourth session
Agenda item 132
Programme budget for the biennium 2010-2011

Revised estimates relating to the programme budget for the biennium 2010-2011 for the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict

Twenty-fourth report of the Advisory Committee on Administrative and Budgetary Questions on the programme budget for the biennium 2010-2011

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on revised estimates relating to the programme budget for the biennium 2010-2011 for the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict (A/64/763). During its consideration of the report, the Advisory Committee met with representatives of the Secretary-General, who provided additional information and clarification.

2. In paragraph 2 of his report, the Secretary-General indicates that, in its resolution 1888 (2009), the Security Council requested that he appoint a Special Representative to provide coherent and strategic leadership, to work effectively to strengthen existing United Nations coordination mechanisms and to engage in advocacy efforts, inter alia, with Governments, including military and judicial representatives, as well as with all parties to armed conflict and civil society, in order to address, at both Headquarters and the country level, sexual violence in armed conflict, while promoting cooperation and coordination of efforts among all relevant stakeholders, primarily through the inter-agency initiative entitled "United Nations Action against Sexual Violence in Conflict" (hereinafter "United Nations Action").

3. Section III of the Secretary-General's report contains a description of the functions envisaged for the Office of the Special Representative, which include giving victims and affected communities a voice; mobilizing the international community, in particular to address the issue of impunity; fostering collaboration and partnerships, and broadening the circle of stakeholders on this issue;

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coordinating advocacy and programmatic responses, in particular within the United Nations system; ensuring more reliable and comprehensive data on sexual violence in conflict as a basis for action at all levels; and disseminating information/knowledge on approaches and best practices to address sexual violence in conflict. The Advisory Committee takes note of the information contained in section III of the report but considers it to be rather general in nature. **The Advisory Committee expects that the Special Representative will, at the earliest opportunity, develop a workplan for the biennium 2010-2011 for the implementation of her mandate, as set out in Security Council resolution 1888 (2009). At the time of the General Assembly's consideration of the Secretary-General's proposals, the Special Representative should provide the Assembly with information about the activities she intends to undertake during the current biennium.**

4. Upon enquiry, the Advisory Committee was informed that United Nations Action had been created in 2006 in response to the calls to action emanating from the International Symposium on Sexual Violence in Conflict and Beyond. It had brought together 12 United Nations-system entities (namely the Department of Political Affairs, the Department of Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Human Rights, the Joint United Nations Programme on HIV/AIDS, the United Nations Development Programme, the United Nations Population Fund, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the United Nations Fund for Women, the World Food Programme and the World Health Organization) into a network designed to better coordinate, amplify and harmonize the work of the United Nations system in response to conflict-related sexual violence.

5. The Advisory Committee was also informed that in 2008 United Nations Action had created a multi-donor trust fund in order to pool resources for its joint work. As at May 2010, the balance of the fund stood at just over $2 million. It was explained to the Committee that the Office of the Special Representative would be funded from the multi-donor trust fund until the end of July 2010 and that discussions were currently under way regarding possible interim funding arrangements in the event that the General Assembly was unable to consider the Secretary-General's proposals before the beginning of its sixty-fifth session.

6. In paragraph 14 of his report, the Secretary-General indicates that, based on the request contained in Security Council resolution 1888 (2009) and as a first step towards establishing the above-mentioned Office, on 2 February 2010 he appointed Margot Wallström as his Special Representative on Sexual Violence in Conflict. The Advisory Committee notes that the appointment was made at the Under-Secretary-General level. The Secretary-General also indicates in his report that the initial funding for the Office is to be provided by the United Nations Action multi-donor trust fund, which would bridge the gap between consideration of the report and any decision by Member States on further arrangements.

7. **The Advisory Committee wishes to express its concern about the procedure followed by the Secretary-General in establishing a post at the Under-Secretary-General level for his Special Representative on Sexual Violence in Conflict. The Committee recalls the provisions of General Assembly resolution 35/217, pursuant to which the establishment of all extrabudgetary**

posts at the D-1 level and above is to be subject to the concurrence of the Committee. The Committee is disappointed by the Secretary-General's apparent failure to respect established procedure in this case and trusts that, in future, such situations will be avoided.

8. The Secretary-General is of the view that in order for the Office of the Special Representative to function effectively, the following nine posts would need to be established, with effect from 1 July 2010:

- One post at the Under-Secretary-General level for a Special Representative of the Secretary-General
- One post at the D-1 level for a Chief of Staff/Senior Policy Adviser
- One post at the P-5 level for a Senior Programme Officer
- One post at the P-4 level for a Programme Officer
- Two posts at the P-3 level for a Programme Officer and a Communications/Outreach Officer
- Three posts at the General Service (Other level) level for a Personal Assistant to the Special Representative, a Team Assistant and an Administrative Assistant.

The Secretary-General indicates that additional resources in the amount of $1,232,800 would be required to fund those posts for the remainder of the current biennium. The Advisory Committee notes, in this connection, that the full cost of the proposed posts for the biennium 2012-2013 is currently estimated at $3,326,200 (see A/64/763, para. 18).

9. **The Advisory Committee recommends approval of the establishment of the above-mentioned posts, with the exception of the post at the P-3 level for a Programme Officer and one post at the General Service (Other level) level.** With respect to the former, the Committee takes the view that the functions envisaged for the post could be merged with those envisaged for the Communications/Outreach Officer (P-3). As for the latter, the Committee is of the opinion that the functions envisaged for the post could be performed by the incumbents of the remaining two General Service posts.

10. On a related matter, the Advisory Committee notes that the title of the proposed post at the D-1 level is "Chief of Staff/Senior Policy Adviser". While, as indicated in the preceding paragraph, the Committee has no objection to the establishment of the post itself, it recalls its previous concern about the use of the term "Chief of Staff" in small offices (see A/64/792, para. 26). **Accordingly, and in order to ensure that sufficient emphasis is placed on the substantive aspects of the post, the Advisory Committee recommends that the post at the D-1 level be designated simply as "Senior Policy Adviser".**

11. According to the Secretary-General, the Office of the Special Representative would require the following non-post resources for the biennium 2010-2011:

- $74,000 for consultants, of which $24,000 would be used to engage two consultants to prepare policy papers and undertake research on strategies for improving data and analysis on sexual violence trends, and $50,000 would be used for a consultant to design and establish a website for the Office

- $250,000 for travel of staff, which would provide, inter alia, for the Special Representative and her immediate staff to undertake four week-long visits to conflict situations, as well as two visits to consult with regional partners in Europe, one visit to address regional partners in Africa/Asia and two trips to address key conferences or meetings

- $723,800 for operational expenses, comprising $44,400 for contractual services, $552,900 for general operating expenses, $4,000 for hospitality, $9,000 for supplies and materials and $113,500 for furniture and equipment. The Advisory Committee notes that, of the total amount budgeted for operational expenses, $235,700 would represent a one-time provision for the alteration of office space, $98,500 would represent a one-time provision for office furniture and $15,000 would represent a one-time provision for the acquisition of office automation equipment.

12. Upon enquiry, the Advisory Committee was informed that the full cost of the non-post resources for the biennium 2012-2013 was estimated at $700,000. That estimate was based on the assumption that the activity level of the Office in 2012-2013 would not increase significantly in comparison to 2010-2011.

13. With specific reference to the estimated requirements of $50,000 for the design and establishment of a website for the Office, the Advisory Committee was informed, upon enquiry, that the Secretary-General considered that it might be more cost-effective to employ consultants for that task than to rely on in-house resources. **The Advisory Committee encourages the Secretary-General to make every effort to limit consultancy costs through the judicious use of appropriate in-house resources, namely the Office of Information and Communications Technology and the Department of Public Information.**

14. **The Advisory Committee recommends approval of the non-post resources requested by the Secretary-General.**

15. In paragraph 12 of his report, the Secretary-General indicates that in its resolution 1888 (2009), the Security Council also requests the constitution of a team of legal experts on sexual violence in conflict that can be deployed rapidly to situations of particular concern to assist national authorities in strengthening the rule of law and addressing impunity for conflict-related sexual violence. The Secretary-General also indicates in the same paragraph that the leader of the team of experts will be co-located in the Office of the Special Representative, who will supervise the work of the expert group.

16. Upon enquiry, the Advisory Committee was informed that the team of experts, which was expected to begin its work in September 2010, would be composed of two to seven staff members from the Department of Peacekeeping Operations, the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme and other United Nations entities with rule of law expertise. The leader of the team, who, as indicated above, would be co-located in the Office of the Special Representative and would report directly to him or her, would be specifically recruited for the post and would not be affiliated with any particular department or entity. The members of the team would be dedicated full time to the work of the team but would be located in their parent department/entity when not deployed to situations of particular concern. They would have dual reporting lines to their parent department/entity and the team leader. In addition, a

roster of technical specialists with specific expertise and skills, from both inside and outside the United Nations, would be developed to supplement and complement the team, as required, for periods of limited duration. Funding in the amount of $1 million, to cover the salaries and travel of the team leader, three experts and one rostered specialist for an initial period of six months, had been requested from the United Nations Action multi-donor trust fund.

17. The Advisory Committee notes from paragraph 8 of Security Council resolution 1888 (2009) that the Council recommends making use of existing human resources within the United Nations system, as well as voluntary contributions, for the team of experts. **It is the Committee's understanding, therefore, that any staff costs relating to the team of experts will not be charged to the budget of the Office of Special Representative.**

18. In paragraph 8 of his report, the Secretary-General points out that owing to the nature, scope and gravity of the problem of conflict-related sexual violence, many organizations of the United Nations system and beyond consider this issue a critical aspect of their advocacy and programmatic mandates. He further states, however, that it is widely recognized that the overall response often lacks central strategic purpose and cohesion, that actions are often fragmented and duplicative and that accountability is needed to ensure information-sharing and to plug gaps. According to the Secretary-General, the establishment of the Office of the Special Representative fills the critical gap that has existed in terms of ensuring concerted and effective coordinated engagements on this issue with Member States, the Security Council, the General Assembly, United Nations actors, non-governmental organizations, civil society and a diverse cross-section of high-level interlocutors.

19. During its consideration of the Secretary-General's report, bearing in mind his own assertion that actions designed to address the problem of sexual violence in conflict are often duplicative (see para. 18 above), the Advisory Committee expressed concern that the Office of the Special Representative itself might potentially duplicate work already under way on that issue within the United Nations system. In response, the Committee was informed that, while the member entities of the United Nations Action network were all working on some aspect of sexual violence in conflict, there was currently no lead United Nations entity focusing specifically on the protection of civilians or on the coordination of the work of peace and security actors (the Department of Political Affairs and the Department of Peacekeeping Operations) that were more directly engaged in preventing sexual violence as a tactic of war.

20. With specific reference to any possible overlap between the mandates of the Special Representative for Sexual Violence in Conflict and the Special Representative for Children and Armed Conflict, the Advisory Committee was informed that, while there were similarities in the Security Council's approach to the two mandates in terms, inter alia, of monitoring and reporting requirements, the focus on preventive diplomacy and the linkages between the mandates and the sanctions work undertaken by the Security Council, the substantive focus of the mandates differed significantly. The mandate of the Special Representative for Children and Armed Conflict encompassed a broad range of violations but focused exclusively on children, whereas the mandate of the Special Representative on Sexual Violence in Conflict had a far narrower focus but dealt with a broader population group.

21. With regard to the gender aspects of the Special Representative's mandate and the potential for overlap with ongoing activities relating to the prevention of gender-based violence, the Advisory Committee notes from paragraph 28 of Security Council resolution 1888 (2009) that the Council will review the mandates of the Special Representative and the team of experts within two years, taking into account the process established by the General Assembly in its resolution 63/311 regarding a United Nations composite gender entity. The Committee was informed, upon enquiry, that the Security Council's intention was to defer the establishment of a relationship between the Office of the Special Representative and the gender entity until the review, at which time any overlap between the activities of the two structures would be assessed. The Committee was further informed that the primary focus of the composite gender entity, which was still under development, was expected to be gender equality and women's empowerment, whereas the Office of the Special Representative would focus on sexual violence as a tactic of war, a threat to security and an impediment to peacebuilding.

22. The Advisory Committee notes the efforts undertaken by the Secretary-General to ensure that the activities of the Office of the Special Representative will not duplicate the work already being done in the field of conflict-related sexual violence by other United Nations system entities. **The Committee encourages the Secretary-General to take all steps necessary to ensure maximum levels of cooperation and coordination between relevant bodies.**

23. The action required of the General Assembly is set out in paragraph 19 of the Secretary-General's report. **Bearing in mind the observations and recommendations contained in the preceding paragraphs, the Advisory Committee recommends that the Assembly:**

(a) **Approve the establishment of seven new posts (1 Under-Secretary-General, 1 D-1, 1 P-5, 1 P-4, 1 P-3, 2 General Service (Other level)) for the Office, with effect from 1 July 2010, under the programme budget for the biennium 2010-2011;**

(b) **Appropriate a total amount of $1,960,100 under the programme budget for the biennium 2010-2011, comprising increases under section 1, Overall policymaking, direction and coordination ($1,473,600), section 28D, Office of Central Support Services ($486,500), and section 35, Staff assessment ($169,000), to be offset by a corresponding amount under income section 1, Income from staff assessment.** The Committee notes that, according to the Secretary-General, this provision would represent a charge against the contingency fund.